

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FSS/270
(for 4th Deferment)

<u>Applicant</u>	: Faith Luck Corporation Limited and Win Million International Limited represented by Lanbase Surveyors Limited
<u>Site</u>	: Various Lots in D.D.51, Fanling, New Territories
<u>Site Area</u>	: About 9,098m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/22
<u>Zoning</u>	: “Village Type Development” (“V”)
<u>Application</u>	: Proposed House and Social Welfare Facilities (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction

1. Background

- 1.1 On 27.4.2018, the applicant submitted the application to seek planning permission for proposed house and social welfare facilities (residential care home for the elderly) and minor relaxation of building height restriction at the application site (**Plan A-1**).
- 1.2 On 15.6.2018, 5.10.2018 and 21.12.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months respectively, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. On 15.8.2018, 29.10.2018 and 17.1.2019, the applicant submitted FIs to address departmental comments on traffic, environment and sewerage impact aspects. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 25.2.2019, the applicant’s representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months in order to allow time for them to prepare FI to address further comments from Transport Department (TD) and Environmental Protection Department (EPD) (**Appendix I**).

3. Planning Department's View

- 3.1 The application has been deferred three times for a total of six months at the request of the applicant to address departmental comments. Since the last deferment, the applicant submitted FI on 17.1.2019 with revised technical assessments to address comments from TD and EPD. However, the applicant needs more time to prepare FI to resolve further comments from departments.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare FI in response to departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.3 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI from the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed further two months for preparation of submission of FI. Since it is the fourth deferment of the application, the applicant should be reminded that the Committee has allowed a total of eight months for preparation of submission of FI, this is the last deferment and no further deferment would be granted.

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted for the Committee's consideration at the next meeting.

5. Attachments

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| Appendix I | Letter received on 25.2.2019 from the applicant's representative |
| Plan A-1 | Location Plan |

**PLANNING DEPARTMENT
MARCH 2019**